

10/586415APPROPRIATE PTO
TRADEMARK OFFICE**18 JUL 2006****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Bartizal et al.

Serial No. TBD

Art Unit: TBD

Filed: July 18, 2006

Examiner: TBD

For: 6,11-3C-BICYCLIC 8A-AZALIDE DERIVATIVES

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR 1.97**

Sir:

1. In compliance with 37 C.F.R. 1.97, submitted on the attached form herewith is a list of patents, publications or other information which are requested to be made of record in this application. This Information Disclosure Statement is not an admission that any patent, publication or other information referred to herein is "prior art" for this invention. In accordance with 37 C.F.R. 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56(b).

2. In accordance with 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

3. Applicants respectfully request that the Examiner initial the attached form after reviewing the pertinence of each reference.

4. Pursuant to 37 C.F.R. 1.98 (a)(2)(ii), copies of each cited U.S. patent and each U.S. patent application publication are not enclosed herewith.

10/586415

INFORMATION DISCLOSURE STATEMENT

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5. Pursuant to 37 C.F.R. 1.98(d), copies of references listed on the attached form that were submitted to or cited by the Office in a related application upon which the instant application relies for an earlier filing date under 35 U.S.C. 120 are not enclosed. Related application(s) in which references were submitted to or cited by the Office are as follows:

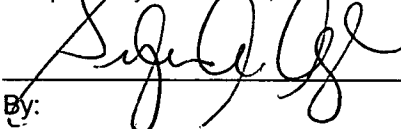
RELATED APPLICATION		
U. S. SERIAL NUMBER	FILING DATE	MERCK CASE

If this is inconvenient, additional copies will be submitted upon request.

6. In accordance with 37 C.F.R. 1.97, (check one)

- ☒ the attached information is filed within three months of the filing date of the captioned case.
- ☐ the attached information is filed more than three months after the filing date but prior to the mailing of a first Office Action on the merits.
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- ☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated under 37 C.F.R. 1.56(c) more than three months prior to the filing of this Statement.

Respectfully submitted,


 By: _____
 Attorney _____ For Applicant(s)

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 Date: July 18, 2006

Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>			COMPLETE IF KNOWN		
			Application Number	TBD 10/586415	
			Filing Date	July 18, 2006	
			First Named Inventor	Bartizal et al.	
			Group Art Unit	AP20 Rec'd PCT/PTO 18 JUL 2006	
			Examiner Name		
Sheet	1	of	3	Attorney Docket Number	21610Y

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Number	Kind Code (if known)		
/E.P./		4474768		Bright	10/02/1984
/E.P./		4517359		Kobrehel et al.	05/14/1985
/E.P./		US20040157787		Or et al.	08/12/2004
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FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Office	Number	Kind Code (if known)		
/E.P./			WO 98/56801		Pfizer Products Inc.	12/17/1998
/E.P./			WO 98/56802		Pfizer Products Inc.	12/17/1998
/E.P./			WO 99/00124		Merck & Co. Inc.	01/07/1999
/E.P./			WO 99/00125		Merck & Co. Inc.	01/07/1999
/E.P./			WO 99/19331		Merck & Co. Inc.	10/13/1998
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/E.P./			EP 260938		Taisho Pharmaceutical Co. Ltd.	09/18/1986

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			Application Number	TBD 30/586415	
			Filing Date	July 18, 2006	
			First Named Inventor	Bartizal et al.	
			Group Art Unit		
			Examiner Name		
Sheet	2	of	3	Attorney Docket Number	21610Y

NON PATENT LITERATURE DOCUMENTS		
Examiner Initials*	Cite No.	Include name of the author, title, date, page(s), volume-issue number(s) and place of publication.
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Examiner Signature	/Elli Peselev/	Date Considered	05/04/2009
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*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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			Filing Date	July 18, 2006	
			First Named Inventor	Bartizal et al.	
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			Examiner Name		
Sheet	3	of	3	Attorney Docket Number	21610Y

NON PATENT LITERATURE DOCUMENTS		
Examiner Initials*	Cite No.	Include name of the author, title, date, page(s), volume-issue number(s) and place of publication.
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/E.P./		R. H. Grubbs et al., "Tetrahedron Report Number 448", 1998, pp. 4413-4450, Tetrahedron.

Examiner Signature	/Elli Peselev/	Date Considered	05/04/2009
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